

**GUESTS PRESENTED**

The President introduced Commissioner Maria Elena "Lena" Guerrero and her husband, Leo Aguirre.

Commissioner Guerrero addressed the Senate stating that she would miss being a Member of the House but that she was looking forward to working as Commissioner for the "New Texas."

**GUEST PRESENTED**

Senator Barrientos introduced Ms. Jane Hickie, Appointments Secretary to the Governor.

The Senate welcomed Ms. Hickie.

**CONGRATULATORY RESOLUTIONS**

**H.C.R. 23** - (Truan): Declaring the week of February 11-17, 1991, to be "Corpus Christi Museum of Science and History Week."

**S.R. 28** - By Green: Extending congratulations to Sylvia Anne Escotrias and Julian Escamilla, Jr., on their marriage.

**S.R. 30** - By Henderson: Extending congratulations to Jason Lombardo of Houston on achieving the rank of Eagle Scout.

**RECESS**

On motion of Senator Brooks, the Senate at 12:17 p.m. took recess until 11:00 a.m. tomorrow.

**THIRD DAY**

(Continued)

(Thursday, January 17, 1991)

**AFTER RECESS**

The Senate met at 11:00 a.m. and was called to order by the President.

**MESSAGE FROM THE HOUSE**

House Chamber  
January 17, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**S.C.R. 4**, Granting the 72nd Legislature permission to adjourn for more than three days.

Respectfully submitted,  
**BETTY MURRAY**, Chief Clerk  
House of Representatives

**SENATOR ANNOUNCED PRESENT**

Senator Green, who had previously been recorded as "Absent-excused," was announced "Present."

**GUEST PRESENTED**

Senator Brooks was recognized and introduced Judge Richard Bianchi, Presiding Judge of the 333rd District Court.

The Senate extended a warm welcome to Judge Bianchi.

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas  
January 17, 1991

TO THE SENATE OF THE SEVENTY-SECOND LEGISLATURE,  
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE CHAIRMAN OF THE STATE BOARD OF EDUCATION for a term to  
expire January 1, 1993:

CAROLYN HONEA CRAWFORD  
299 Manor  
Beaumont, Texas 77706

Dr. Crawford will be replacing Monte Hasie of Lubbock, whose term expired.

Respectfully submitted,

/s/Ann W. Richards  
Governor of Texas

**CAPITOL PHYSICIAN**

Senator Brooks was recognized and presented Dr. Sam Nixon of Houston.

The Senate welcomed Dr. Nixon, a participant in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, and expressed appreciation for his contributions today.

**SENATE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.J.R. 6** by Leedom State Affairs  
Proposing a constitutional amendment relating to investments by statewide public retirement systems.

**S.J.R. 7** by Ratliff State Affairs  
Proposing a constitutional amendment relating to eligibility to the legislature of certain local officeholders.

**S.B. 92** by Johnson Economic Development  
Relating to the offense of transferring certain weapons at a pawnshop; providing a penalty.

- S.B. 93** by Johnson Economic Development  
Relating to the offense of transferring certain weapons or ammunition at a flea market.
- S.B. 94** by Truan Intergovernmental Relations  
Relating to the ability of certain metropolitan transit authorities to fund medical transportation services.
- S.B. 95** by Brown State Affairs  
Relating to the safe operation on highways of certain vehicles; providing a penalty.
- S.B. 96** by Harris of Dallas Economic Development  
Relating to excavation operations that may damage underground facilities; imposing civil penalties.
- S.B. 97** by Leedom State Affairs  
Relating to printing and graphic arts evaluations by the State Purchasing and General Services Commission.
- S.B. 98** by Ratliff Jurisprudence  
Relating to the payment of medical expenses from a judgment entered on behalf of a party in a civil suit.
- S.B. 99** by Ratliff Jurisprudence  
Relating to the establishment of an education fund through child support payments and to the administration of that fund.
- S.B. 100** by Haley Natural Resources  
Relating to the types of plants and trees used in landscaping the Texas State Capitol grounds.
- S.B. 101** by Haley Finance  
Relating to the re-creation and operation of the Old San Antonio Road Preservation Commission; making an emergency appropriation to the Texas Historical Commission.
- S.B. 102** by Barrientos Finance  
Relating to the issuance of revenue bonds by the Texas Higher Education Coordinating Board.
- S.B. 103** by Barrientos, Ellis Finance  
Relating to the state allocation and reservation system for private activity bonds.
- S.B. 104** by Barrientos, Ellis, Rosson Finance  
Relating to the student loan program.
- S.B. 105** by Barrientos Finance  
Relating to credit in the Teacher Retirement System of Texas for accumulated sick leave.
- S.B. 106** by Barrientos Intergovernmental Relations  
Relating to the eligibility of sheriff's departments of certain counties to create civil service systems.
- S.B. 107** by Barrientos State Affairs  
Relating to reporting to the legislature certain audit results concerning job-training programs.
- S.B. 108** by Sims Natural Resources  
Relating to the creation, administration, powers, duties, and funding of the Headwaters Underground Water Conservation District.

- S.B. 109** by Lyon State Affairs  
Relating to prohibiting employment discrimination against certain peace officers and employees of the institutional division of the Texas Department of Criminal Justice for refusing to take a polygraph examination.
- S.B. 110** by Lyon Intergovernmental Relations  
Relating to complaints about and disciplinary measures taken against certain law enforcement officers or fire fighters.
- S.B. 113** by Lyon Intergovernmental Relations  
Relating to the compensation of a deputy sheriff assigned as a bailiff in Dallas County.
- S.B. 114** by Sims State Affairs  
Relating to the creation of the offense of interference with animals or animal facilities.
- S.B. 115** by Leedom, Johnson Intergovernmental Relations  
Relating to commissioning security officers of housing authorities as peace officers.
- S.B. 116** by Sims Criminal Justice  
Relating to criminal penalties imposed for certain violations of the Texas Unemployment Compensation Act.
- S.B. 117** by Glasgow State Affairs  
Relating to false statements made during a political campaign.
- S.B. 118** by Glasgow Intergovernmental Relations  
Relating to the provision of bulletproof vests to certain law enforcement officers.
- S.B. 119** by Glasgow State Affairs  
Subcommittee on Elections and Ethics  
Relating to a prohibition on certain activities of former state officers or employees; providing a criminal penalty.
- S.B. 120** by Glasgow Finance  
Relating to the application of the professional prosecutors law.
- S.B. 121** by Montford Natural Resources  
Relating to retirement programs for employees of High Plains Underground Water Conservation District No. 1.
- S.B. 122** by Carriker Education  
Relating to the career ladder for public school teachers.
- S.B. 123** by Carriker State Affairs  
Subcommittee on Elections and Ethics  
Relating to write-in candidacy in certain elections.
- S.B. 124** by Harris of Tarrant, Moncrief Jurisprudence  
Relating to the jurisdiction of the Tarrant County courts at law.
- S.B. 125** by Barrientos Education  
Relating to refunding certain tuition and fees paid to institutions of higher education.
- S.B. 126** by Barrientos State Affairs  
Relating to legislative oversight of certain employment and job-training programs conducted by state agencies.

**S.B. 127** by Barrientos State Affairs  
Relating to the submission to the legislature of certain reports concerning job-training plans developed for local service delivery areas under the Texas Job-Training Partnership Act.

**S.B. 128** by Leedom Finance  
Relating to investments by public retirement systems.

**S.B. 129** by Ratliff State Affairs  
Subcommittee on Elections and Ethics  
Relating to political advertising signs and the posting of political advertising signs on utility poles; providing penalties.

**S.B. 130** by Brooks Health and Human Services  
Relating to contractual agreements between the Texas Higher Education Coordinating Board and Texas Chiropractic College.

**S.B. 131** by Dickson Jurisprudence  
Relating to the jurisdiction and administration of certain county courts, to the creation of multicounty statutory county courts, to the qualifications of office and compensation for judges of certain courts, and to the imposition of certain court fees and costs.

**S.B. 132** by Dickson Jurisprudence  
Relating to the offices of county attorney of Lampasas County and district attorney for the 27th Judicial District.

**S.B. 133** by Dickson State Affairs  
Relating to persons who may request an attorney general's opinion.

**S.B. 134** by Tejeda, Johnson, Truan, State Affairs  
Parker, Whitmire  
Relating to the observance of the birthday of Martin Luther King, Jr., as a state holiday.

**S.B. 135** by Tejeda Finance  
Relating to the penalty attendant to the collection of delinquent ad valorem property taxes.

**S.B. 136** by Green Jurisprudence  
Relating to the authority of a court to order the turnover of wages for personal services.

**S.B. 137** by Green Education  
Relating to safety equipment on school buses.

**S.B. 138** by Green Economic Development  
Relating to regulating cancellation of insurance agency contracts.

**S.B. 139** by Green State Affairs  
Relating to authorizing the late filing for a homestead exemption from ad valorem taxation.

**S.B. 140** by Green Education  
Relating to an exemption from regulation of certain driver-training courses and driver-training instructors.

**S.B. 141** by Green Jurisprudence  
Relating to the authority of a justice court to waive the requirement that a marriage ceremony may not take place sooner than 72 hours after the issuance of a marriage license.

- S.B. 142** by Green Education  
Relating to the persons who serve as high school deputy registrars.
- S.B. 143** by Green Criminal Justice  
Relating to the disposition of stolen property.
- S.B. 144** by Green Intergovernmental Relations  
Relating to the regulation of wild animals in a county with a population of 2.4 million or more.
- S.B. 145** by Harris of Tarrant Intergovernmental Relations  
Relating to the creation of local arts funding councils.
- S.B. 146** by Harris of Tarrant Criminal Justice  
Relating to the creation of the offense of causing injury to a pregnant woman.
- S.B. 147** by Harris of Tarrant Intergovernmental Relations  
Relating to grants by the Texas Commission on the Arts and the composition of the commission.
- S.B. 148** by Harris of Tarrant Criminal Justice  
Relating to multiple prosecutions of offenses under the Texas Controlled Substances Act arising out of single criminal episodes.
- S.B. 149** by Harris of Tarrant Jurisprudence  
Relating to the determination of paternity and the payment of child support during a suit in which a determination of paternity is sought.
- S.B. 150** by Barrientos Education  
Relating to participation in state or university employees group insurance plans by persons who have been called to, or have returned from, active military duty.
- S.B. 151** by Barrientos Finance  
Relating to eligibility for participation of graduate students in the Texas State College and University Employees Uniform Insurance Benefits Program.
- S.B. 152** by Harris of Tarrant Jurisprudence  
Relating to the enforcement of judgments for past-due child support payments.
- S.B. 153** by Montford Education  
Relating to the courses and degrees offered at The University of Texas of the Permian Basin.
- S.B. 154** by Brooks Natural Resources  
Relating to the authority of the Parks and Wildlife Commission to regulate the sale and consumption of alcoholic beverages in an area of Galveston State Park assigned to a concessioner.

(Senator Armbrister in Chair)

#### MEMORIAL RESOLUTIONS

**S.C.R. 5** - By Zaffirini: In memory of Judge Claude Franklin, Jr., of McMullen County.

**S.R. 32** - By Sims: In memory of Phil H. Lane of San Angelo.

#### CONGRATULATORY RESOLUTIONS

**S.R. 31** - By Ellis: Extending congratulations to John H. Bailey of Missouri City, whose outstanding abilities and talents have made him the first Black to become brigadier general in the 50-year history of the Texas State Guard.

**S.R. 33** - By Sims: Extending congratulations to Mr. and Mrs. Bill Winters of San Angelo on their 50th wedding anniversary.

**S.R. 34** - By Sims: Extending congratulations to Mr. and Mrs. Gene Hancock of Midland on their 50th wedding anniversary.

**S.R. 35** - By Sims: Extending congratulations to Mr. and Mrs. Frank Trudo on their 50th wedding anniversary.

#### **ADJOURNMENT**

Pursuant to the adoption of **S.C.R. 4** and on motion of Senator Brooks, the Senate at 11:13 a.m. adjourned, in memory of the Reverend M. C. Bridges, beloved pastor of the Progressive Missionary Baptist Church of La Marque, until 11:00 a.m. Tuesday, January 22, 1991.

#### **FOURTH DAY**

(Tuesday, January 22, 1991)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Glasgow, Green, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sims, Tejada, Truan, Turner, Whitmire, Zaffirini.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Our Heavenly Father, this morning we ask Your divine guidance upon the men and the women of the Senate as they face the challenges of this session. May they stand steady and confident in resolving the issues, aware there is a source of strength beyond their own. May statesmanship and openness prevail so that when finished and judged this will have been a day of progress and accomplishment.

May we now in our individual way pause for a moment of silence as we remember those on duty in the Persian Gulf. In our Lord's name. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 17, 1991, was dispensed with and the Journal was approved.

#### **RESOLUTION SIGNED**

The President announced the signing in the presence of the Senate the following enrolled resolution:

#### **S.C.R. 4**

#### **CO-AUTHORS OF SENATE BILL 22**

On motion of Senator Brown and by unanimous consent, Senators Brooks and Tejada will be shown as Co-authors of **S.B. 22**.